



Attorney's Docket No.: B00801.70232.US # 8

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Applicants : Stossel et al.
U.S. Serial No. : 10/007,856
Conf. No. : 7592
Filed : November 5, 2001
Title : COMPOSITIONS AND METHODS FOR PROLONGING SURVIVAL
OF CHILLED PLATELETS
Examiner : Unknown
Art Unit : 1645

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this document is being placed in the United States mail with first-class postage attached, addressed to Commissioner for Patents, Washington, D.C. 20231 on the 3rd day of April, 2003.

Yvonne M. Lingo
Yvonne M. Lingo

Commissioner for Patents
Washington, D.C. 20231

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

In response to the Restriction Requirement dated January 3, 2003 (Paper No. 5), Applicants hereby request entry of the following election.

ELECTION

Applicants hereby elect the claims of Group I (claim 1), with traverse. Claim 1 is drawn to a method for identifying a platelet clearance antagonist in a first system comprising a chilled platelet and a liver macrophage.

REMARKS

In response to the Restriction Requirement, Applicants have elected to prosecute the claims of Group I (claim 1), with traverse. Having made the foregoing election, Applicants expressly reserve the right to file one or more applications on the subject matter of the nonelected claims.

In the Restriction Requirement, the Examiner asserts that this application contains claims directed to 10 distinct inventions. Applicants respectfully disagree with the Examiner's restriction of Groups I-IV and request that the Examiner reconsider the restriction requirement and rejoin these restricted groups. The claims of Groups I-IV all are directed to methods for identifying a platelet clearance antagonist. While the Examiner is correct in stating that different components are utilized in the methods, Applicants respectfully suggest that these claims should be examined together because the methods are substantially similar, in that similar components are used in the methods. For example, claims 1 and 2 use a liver macrophage (in combination with a platelet or platelet ligand, respectively). Claims 3 and 4 use a liver macrophage receptor (which would be expected to be the point of interaction with platelet or platelet ligand on the liver macrophage as used in claims 1 and 2) in combination with a platelet or platelet ligand. Therefore, given the substantial similarity in the subject matter of claims 1-4 (Groups I-IV), the searching and examination of these claims would not present an undue burden for the Examiner. Accordingly, reconsideration of the restriction of Groups I-IV is respectfully requested.

Respectfully submitted,



John R. Van Amsterdam, Reg. No. 40,212
WOLF, GREENFIELD & SACKS, P.C.
600 Atlantic Avenue
Boston, Massachusetts 02210
Tel: (617) 720-3500

(617) 720 2441

Attorney's Docket No. B00801.70232.US

Dated: April 3, 2003

XXD: 04/03/03

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Yvonne M. Lingo
Yvonne M. Lingo

Commissioner for Patents
Washington, DC 20231

Sir:

Transmitted herewith are the following:

- ☒ Petition for 2-months Extension
- ☒ Response to Restriction Requirement
- ☒ Check for \$410.00
- ☒ Postcard

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617)720-3500, Boston, Massachusetts.

A check for \$410.00 to cover the extension fee enclosed. Please charge any additional fee or credit any overpayment to the account of the undersigned, Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,

John R. Van Amsterdam
John R. Van Amsterdam, Reg. No. 40,212
WOLF, GREENFIELD & SACKS, P.C.
600 Atlantic Avenue
Boston, Massachusetts 02210
Tel: (617) 720-3500

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